

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL NO. 5:04-cv-00019-W**

<b>GEORGE A. O'BAR, and JACOB A.</b>	)	
<b>PEARCE,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	<b>ORDER</b>
<b>vs.</b>	)	
	)	
<b>LOWE'S HOME CENTERS, INC.,</b>	)	
	)	
<b>Defendant.</b>	)	
	)	

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THIS MATTER is before the Court on Plaintiffs' Motion for Rule 37 Sanctions, for Protective Orders, and for Clarification (Doc. No. 61), filed October 26, 2006, and Plaintiffs' Memorandum in Support of its Motion, filed, as amended, on October 30, 2006. (Doc. No. 63).

IT IS, THEREFORE, ORDERED that Defendant must produce the non-privileged documents as ordered by the Court on October 19, 2006. Defendant must make such production to Plaintiffs by close of business on Monday, November 6, 2006. As to the remaining issues in Plaintiffs' Motion, Defendant is hereby ordered to submit to the Court Defendant's response to Plaintiff's Motion by November 7, 2006. No reply will be permitted. This shortened briefing schedule is necessary to maintain other deadlines set by the Court in this matter.

IT IS SO ORDERED.

Signed: November 3, 2006

Honorable Frank D. Whitney